

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

PRIDE TRANSPORTATION,

Plaintiff

v.

**CONTINENTAL CASUALTY COMPANY
and LEXINGTON INSURANCE COMPANY,**

Defendants.

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CIVIL ACTION NO. 4-08-007-Y

PLAINTIFF'S NOTICE OF APPEAL

PLEASE TAKE NOTICE that Plaintiff Pride Transportation ("Plaintiff") hereby appeals to the United States Court of Appeals for the Fifth Circuit from the Order Granting Motions for Summary Judgment (Document 180), as well as the Final Judgment (Document 181), both signed March 31, 2011, by the Hon. Terry R. Means, Judge of the United States District Court for the Northern District of Texas, Fort Worth Division, and entered on the docket the same day. Plaintiff perfects this appeal pursuant to 28 U.S.C. § 1291 and tenders the filing fee required by Rule 3(e) of the Federal Rules of Appellate Procedure.

The parties to the Order appealed from and the names and address of their respective counsel are listed below:

PARTY	COUNSEL
Plaintiff: Pride Transportation	<p>Mr. R. Brent Cooper brent.cooper@cooperscully.com Mr. Timothy M. Dortch micah.dortch@cooperscully.com Cooper & Scully, P.C. 900 Jackson, Suite 100 Dallas, Texas 75202</p> <p>Ms. Barbara K. Berrett bberrett@berrettandtaylor.com Mr. Mark D. Taylor mtaylor@berrettandtaylor.com Berrett & Taylor, L.C. 405 S. Main, Suite 1050 Salt Lake City, Utah 84111</p>
Defendant: Continental Casualty Company	<p>Mr. David H. Timmons dtimmons@gardere.com Mr. Colin G. Martin cmartin@gardere.com Mr. Jeremy A. Williams jwilliams@gardere.com Ms. Karen A. Piotrowski kpiotrowski@gardere.com Gardere Wynne Sewell 1601 Elm Street, Suite 3000 Dallas, Texas 75270-4761</p>
Defendant: Lexington Insurance Company	<p>Mr. Edward A. Davis edavis@hdbdk.com Hartline, Dacus, Barger, Dreyer & Kern, L.L.P. 6688 N. Central Expressway, Suite 1000 Dallas, Texas 75206</p> <p>Mr. Chester Makowski makowski@pkmtexas.com Mr. C. Scott Kinzel kinzel@pkmtexas.com Plavnick, Kinzel & Makowski, L.L.P. 5300 Memorial Drive, Suite 675 Houston, Texas 77007</p>

Respectfully submitted,

COOPER & SCULLY, P.C.

By: /s/ R Brent Cooper

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**ATTORNEYS FOR PLAINTIFF
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CERTIFICATE OF SERVICE

I do hereby certify that on the 28th day of April, 2011, a true and correct copy of the above and foregoing instrument was served upon counsel listed below, in compliance with the Federal Rules of Civil Procedure:

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/s/ R. Brent Cooper
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